

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
CIVIL ACTION NO. 5:12-CV-00184-DSC**

**LEONARD NANCE AND HARTFORD
CASUALTY INSURANCE COMPANY,
AS SUBROGEE OF FNA POLYMER
CORP.,**

Plaintiffs,

v.

**THOMAS R. CHAMBERS, JR. AND
SOUTHWESTERN TRUCKING, INC.,**

Defendants.

ORDER

THIS MATTER is before the Court on the “Plaintiffs’ Motions in Limine as to Defendants’ Expert Witness Testimony and Evidence of Subsequent Remedial Measures” (document # 22) and “Defendants’ First Motions in Limine” (document #21) both filed December 30, 2013 and the parties’ associated briefs and exhibits. The Court conducted a pretrial telephone conference with counsel on January 9, 2014.

The parties have consented to Magistrate Judge jurisdiction under 28 U.S.C. § 636(c). These Motions are now ripe for the Court’s consideration.

After fully considering the arguments, the record, and the applicable authority, the Court
ORDERS:

1. With regard to Plaintiff’s Motions In Limine:

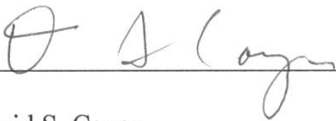
(a) As to subsequent remedial measures, the Motion is GRANTED;

(b) As to opinion testimony of Dr. Brian Burig, the Court will defer ruling on this Motion subject to a voir dire hearing.

2. With regard to Defendants' Motions in Limine, the Motions are GRANTED.

SO ORDERED.

Signed: 1/10/2014

A handwritten signature in cursive script, appearing to read "D S Cayer", is written over a horizontal line.

David S. Cayer
United States Magistrate Judge

